

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
STATESVILLE DIVISION
5:13-CR-00096-KDB-DSC-7

USA

v.

LAVORIS QUOSEAN HECTOR

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ORDER

THIS MATTER is before the Court on Defendant Lavoris Quosean Hector's *pro se* motion for compassionate release pursuant to 18 U.S.C. § 3582(c)(1)(A) and the First Step Act of 2018. (Doc. No. 232). This is Defendant's third filing with the Court asserting the same general complaints and requesting compassionate release. (Doc. Nos. 224, 227). Having carefully reviewed the Defendant's motion and all other relevant portions of the record, the Court will deny the motion without prejudice to a renewed motion properly supported by evidence and after exhaustion of his administrative remedies.


Defendant's previous motions for compassionate release were denied for failure to exhaust his administrative remedies within the Bureau of Prisons as required under 18 U.S.C. § 3582(c)(1)(A) and not properly supported by evidence. According to the BOP website, FCI Beckley currently has 26 inmates and 19 staff with confirmed active cases of COVID-19. There are approximately 1,200 inmates at FCI Beckley. There have been no inmate nor staff deaths and 202 inmates and 44 staff have recovered. Given these conditions, the Court finds no reason to disturb its prior rulings requiring Defendant to exhaust his administrative remedies within the BOP

before petitioning this Court for relief. (Doc. Nos. 226, 228). This Court has previously addressed the Defendant's requests and the Defendant presents no new evidence that would change the Court's prior rulings. Defendant claims to have petitioned the warden again for compassionate release on November 13, 2020, heard no answer and that 30 days have passed. While he attaches a form entitled request to staff dated November 13, 2020, it is not signed by any member of the prison within the appropriate boxed signature line. (Doc. No. 232, Exhibit 1). Thus, the Court is unable to verify whether or not it was sent to or received by the warden.

IT IS, THEREFORE, ORDERED, that the Defendant's *pro se* motion for compassionate release pursuant to 18 U.S.C. § 3582(c)(1)(A) and the First Step Act of 2018 (Doc. No. 232), is **DENIED** without prejudice to a renewed motion properly supported by evidence and after exhaustion of his administrative remedies.

SO ORDERED.

Signed: January 13, 2021

A handwritten signature in black ink, appearing to read "Kenneth D. Bell", written over a horizontal line.

Kenneth D. Bell
United States District Judge

